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### Jacqueline Lucienne Lafon, *La Révolution française face au système judiciaire d'Ancien Régime*

Genève, Droz, 2001, 464 p., ISBN 2600 00615 X

William Doyle

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Jacqueline Lucienne Lafon, *La Révolution française face au système judiciaire d'Ancien Régime*, Genève, Droz, 2001, 464 p., ISBN 2600 00615 X

- 1 The aim of this book is to describe the process by which the legislators of the French Revolution dismantled the judicial apparatus of the old regime, and wound up business left unfinished when the former courts disappeared. It is divided into two parts. The first chronicles the transfer of jurisdiction and cases from the old courts to the new. The second traces the elaboration of arrangements for liquidating the offices of the magistrates and court officials who staffed the old system. The author makes no claims to cover either of these areas comprehensively. She notes how many of the records have been destroyed over the years, and claims that in any case the amount of work required would exceed the capacity of any researcher working alone. She therefore has little to say about any court of first instance apart from the Parisian Châtelet, and the only parlement treated in depth is that of Paris. In the latter case, it is true, comparisons are made whenever possible with other sovereign courts on which secondary literature exists, but even then it is only literature in French. Flattering though it is for a reviewer to be the author of the only non-French book in the bibliography, it is shocking to find reference made to no other work in English when the last forty years have seen more research on the parlements (not to mention Richard Andrews' massive ongoing study of the Châtelet) appearing in that language than in French.

- 2 On the other hand, the author's archival work on her two chosen tribunals is diligent and scholarly. It enables her to track in detail every stage of the transfer of jurisdiction and the liquidation of judicial venality. She shows how there was much good faith, even among magistrates who knew their own careers and offices were doomed, in trying to make new rules of criminal procedure work. Inevitably, too, there was a good deal of honest confusion, which revolutionary zealots were too ready to interpret as deliberate obstruction or delay. There was good news for criminals with cases pending, who might now hope for a public hearing, better defence, and less severe punishment if convicted. But the handover between the old and new courts was slow, they might end up waiting longer in prison for a judgement than under the old order, and even then find themselves judged summarily by a temporary court set up to clear the backlog. As to magistrates and other judicial functionaries hoping for the just and prior liquidation of their offices promised in 1789, most were destined to severe disappointment. Most offices were liquidated on the basis of a twenty-years old assessment which bore little relation to their market value. Only the parlementaires, not subject to that assessment, received compensation nearer to their offices' true value, and even then it was seldom paid promptly, and always in fast depreciating *assignats*.
- 3 These are important conclusions, though not all as new as the author thinks. Nor are they easy to distil from her dense and legalistic exposition of a very complex evolution of circumstances. Her own general observations are sparse and tentative, as if she no longer feels able to stand back from the mass of detail which she has unearthed. But others will certainly want to quarry her work for the enrichment of their own.
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